

for promotion to lieutenant colonel. Another suspect, Lieutenant Douglas Giovanni Bustillo, reportedly joined the military on the same day as Diaz. They served together and apparently remained in contact after Bustillo retired in 2008.

It is particularly noteworthy and troubling that, according to press reports, both Diaz and Bustillo may have received military training from the United States.

A third suspect, Sergeant Henry Javier Hernandez, was a former special forces sniper who had worked under the command of Diaz. He may also have worked as an informant for military intelligence after leaving the army in 2013.

According to press reports, First Sergeant Rodrigo Cruz, a former army officer who deserted after Caceres's death and remains in hiding, said the Honduran military high command gave a hit list with the names and photographs of activists to eliminate to the commander of the Xatruch multi-agency taskforce, to which Cruz's unit belonged, and that Caceres's name was on the list. It sounds a lot like the death squads in El Salvador in the 1980s.

Five civilians with no known military record have also been arrested. They include Sergio Rodriguez, a manager for the Agua Zarca hydroelectric dam that Berta Caceres had long opposed.

That project is being led by Desarrollos Energeticos SA, Desa, with international financing and the strong backing of the Honduran Government. According to press reports, the company's president, Roberto David Castillo Mejia, is a former military intelligence officer, and its secretary, Roberto Pacheco Reyes, is a former justice minister. Desa employed former Lieutenant Bustillo as head of security between 2013 and 2015.

Ms. Caceres had reported multiple death threats linked to her campaign against the dam, including several from Desa employees. The Honduran Government largely ignored her requests for protection, and Desa continues to deny any involvement in the murder.

It is inconceivable to anyone who knows Honduras that this outrageous crime was carried out by these individuals without orders from above. The question is whether the investigation will identify the intellectual authors, which almost never happens in Honduras. In fact, as Global Witness, the U.S. Department of State, and others have documented, there have been scores of killings of environmental activists in Honduras that have never been credibly investigated and for which no one has been punished.

I have no doubt that one of the reasons this case has progressed at all is because U.S. law enforcement experts, supported by the U.S. Embassy, have assisted in the investigation, and because of the efforts of Honduran Attorney General Oscar Fernando Chincilla.

However, as I have said before, in Honduras where impunity is the norm, a case of such domestic and international importance should also be the subject of a parallel independent investigation. The obvious entities to convene such an inquiry are the Inter-American Commission on Human Rights and the Mission to Support the Fight against Corruption and Impunity in Honduras, MACCIH; yet the Honduran Government continues to reject such an inquiry.

The United States and Honduras have a troubled history; yet we and the Honduran people share many interests. We want to continue to help Honduras address the deeply rooted poverty, inequality, violence, and impunity that have caused so much suffering and hardship and contributed to the migration of tens of thousands of Hondurans, including children, to the United States.

But for this Senator, that requires solving the Berta Caceres case and undertaking credible investigations and prosecutions of the shocking number of assassinations of other social activists, journalists, and human rights defenders in recent years. It means Honduran officials publicly affirming and defending the legitimate role of such activists, who in the past have been ignored, threatened, and treated as legitimate targets. Only then will it be clear that the Honduran Government is committed to justice and that our assistance will achieve lasting results.

The Department of State needs to thoroughly and transparently investigate whether Major Diaz and Lieutenant Bustillo were in fact trained by the United States. If so, the Congress and the Honduran people deserve to know how they were selected, what training they received, and any steps taken to improve the process of screening potential trainees and to monitor the conduct of those who have received U.S. training.

Finally, as I have said before, as long as the Agua Zarca project and others like it continue over the objections of indigenous people whose livelihoods and cultures are intrinsically linked to the rivers that are impacted, the confrontations and violence will continue. The Honduran Government, like other governments in that region, needs to change its way of doing business in areas where the rights and interests of indigenous people have long been violated and ignored.

Given the shameful history of the Agua Zarca project it should be cancelled. Other hydroelectric and extractive projects in indigenous territories should be reconsidered by the Honduran Government and allowed to proceed only after a transparent process based on the free, prior, informed consent of affected communities.

## COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

### RULES OF PROCEDURE

Mr. RISCH. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship's rules for the 115th Congress be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP COMMITTEE RULES—115TH CONGRESS

##### JURISDICTION

Per Rule XXV(1) of the Standing Rules of the Senate:

(1) Committee on Small Business and Entrepreneurship to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

##### RULES OF PROCEDURE

###### GENERAL

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

###### MEETINGS

(a) The regular meeting day of the Committee shall be the first Thursday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefor, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of

its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside. For any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless an electronic copy of such amendment has been delivered to the Clerk of the Committee at least 2 business days prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

#### QUORUMS

(a)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term "routine business" includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

#### NOMINATIONS

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

#### HEARINGS, SUBPOENAS, & LEGAL COUNSEL

(a)(1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia

unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.

(b)(1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(2) The Chair and Ranking Member shall be empowered to call an equal number of witnesses to a Committee hearing. Subject to Senate Standing Rule 26(4)(d), such number shall exclude any Administration witness unless such witness would be the sole hearing witness, in which case the Ranking Member shall be entitled to invite one witness. The preceding two sentences shall not apply when a witness appears as the nominee. Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chair or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chair and the Ranking Minority Member.

(c) Any witness summoned to a public or closed hearing may be accompanied by counsel of his or her own choosing, who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.

(f) Testimony may be submitted to the formal record for a period not less than two weeks following a hearing or roundtable, unless otherwise agreed to by the Chair and Ranking Member.

#### CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chair with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

#### MEDIA & BROADCASTING

(a) At the discretion of the Chair, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chair by submitting a written request to the Committee Office by 5 p.m. the day before the meeting. Notice of televised or broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

#### SUBCOMMITTEES

The Committee shall not have standing subcommittees.

#### AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

#### 75TH ANNIVERSARY OF THE SINKING OF THE USS "HOUSTON"

Mr. CRUZ. Mr. President, yesterday marked the 75th anniversary of the sinking of the USS *Houston* (CA-30), the "flagship" of the U.S. Asiatic Fleet, which fought bravely against the Imperial Japanese Navy Battle Fleet. During an engagement on March 1, 1942, the USS *Houston* and the Australian cruiser HMAS *Perth* were sunk at the Battle of Sunda Strait, suffering a combined loss of nearly 1,000 servicemen; the surviving sailors and marines became prisoners of war. After the war, it was revealed that they had been sent to Japan and then transferred to the mainland and used as slave labor for construction of the Thai-Burma Railway. Only 266 men from the *Houston's* complement of 1,008 and 214 of the *Perth's* complement of 681 returned home after the war.

The news of this horrific loss hit the Lone Star state hard, but with typical Texan gusto and determination, it prompted a mass recruiting drive for volunteers to replace the lost crew. On Memorial Day 1942, a crowd of nearly 200,000 witnessed 1,000 "Houston Volunteers" inducted into the Navy. An accompanying bond drive raised over \$85 million, enough to pay for a new cruiser and an aircraft carrier, the USS *San Jacinto*. This historic event speaks to the American spirit and grit as well as our enduring alliance with Australia.

In honor of this occasion, we remember the brave men of Texas, and all of those from the Greatest Generation, who gave so much to preserve freedom